

By

*Ben R. Grant*  
*Preston Leroy*  
*Doyce H. Lee*  
*Wesley Davis*  
*W. H. H. H.*  
*W. H. H. H.*

H.C.R. No. 58

HOUSE CONCURRENT RESOLUTION

1 WHEREAS, Citizens of Texas and Members of the Texas  
2 Legislature were greatly saddened by the loss of one of their  
3 most distinguished fellow citizens in the passing on Tuesday,  
4 February 6, 1973, of Matt Davis, Associate Justice of the Court  
5 of Civil Appeals, Sixth District; and

6 WHEREAS, Born November 19, 1908, he was the son of Wesley  
7 and Bettie Davis and one of seven children; his father was a  
8 tenant farmer in Upshur County, and it was here that Justice Davis  
9 was reared; and

10 WHEREAS, After the death of his mother in 1918, Justice  
11 Davis lived with his father and brothers until he left home at  
12 the age of 15 to work his way through the Glenwood School; and

13 WHEREAS, His mother's ambition was for her son to be a  
14 lawyer, and this ambition became that of the young Matt Davis;  
15 he tried to enter college but could not since Glenwood School was  
16 not then affiliated; he worked as a laborer on farms and other  
17 jobs and married on October 26, 1929, at which time he returned  
18 to the soil as a tenant farmer, but he still had his desire to  
19 become a lawyer; and

20 WHEREAS, He continued to farm, but the depression in the  
21 early 1930's brought hard years and it was at this time that he  
22 decided to try for a law license; he traded two fryers and a mess  
23 of turnip greens for his first law book, which he studied by  
24 kerosene lamp at night; and

1        WHEREAS, In 1934, he learned that he would have to have an  
2 affiliated high school diploma before he would be allowed to take  
3 examinations for a law license; he decided to seek the office of  
4 justice of the peace, was elected, and while holding the post  
5 entered Gilmer High School in the fall of 1935; and

6        WHEREAS, After he received his high school diploma in June,  
7 1936, he had to wait 27 months before being allowed to take the  
8 examinations for his law license; he was allowed to take the  
9 examination in February, 1940, and he was licensed in April, 1940;  
10 before he became an attorney, Justice Davis was elected to the  
11 Texas House of Representatives, serving in the 46th Legislature  
12 in 1939; and

13        WHEREAS, Justice Davis practiced law for 14 years before  
14 deciding to seek a position on the Court of Appeals of the Sixth  
15 District; he was successful in that 1954 race and served on the  
16 court until his death; and

17        WHEREAS, This distinguished individual was a judge of the  
18 people; the language of his opinions, although sometimes looked  
19 upon disapprovingly by some appellate judges, was expressive,  
20 colorful language which spoke directly in candor and earthiness  
21 with similes and metaphors of everyday life. Once when Justice  
22 Davis' opponent was endorsed by the vast majority of lawyers in  
23 the district, he explained to the voters that his opponent  
24 represented the lawyers but that he represented the people;  
25 Justice Davis won the election; and

26        WHEREAS, Justice Davis was a member of the First Methodist  
27 Church of Gilmer, a former president of the Methodist Men's Club,

1 former member of the church's governing board, and former teacher  
2 of the men's Sunday school class; and

3 WHEREAS, Throughout his career on the bench, Justice Davis  
4 always sought to serve the people to the best of his ability; he  
5 wrote many important decisions and made many great contributions  
6 to the law and the legal profession; and

7 WHEREAS, Justice Davis will long be remembered for his great  
8 honesty, integrity, and fairness, and as a man who constantly  
9 tried to do what was best for the people of Texas; and

10 WHEREAS, He is survived by his wife, Mrs. Eddie Mae Davis  
11 of Gilmer; three daughters, Mrs. Alfred J. Erdos of San Diego,  
12 Mrs. Doyle Dumas of Henderson, and Mrs. Jan Hacklet of Sherman;  
13 one son, Dr. Charles M. Davis, Jr., of San Diego; one sister,  
14 Mrs. Carl Sorrells of Ore City; three brothers, Alton Davis of  
15 Gilmer, Austin Davis of Gladewater, and Marion Davis of Kansas  
16 City, Missouri; and five grandchildren; and

17 WHEREAS, It is appropriate that the Texas Legislature and  
18 all the people of Texas pay tribute to Justice Matt Davis for his  
19 many contributions to his state, his community, and his profession,  
20 and extend sympathy to his family; now, therefore, be it

21 RESOLVED by the House of Representatives of the 63rd  
22 Legislature, the Senate concurring, That this Resolution stand  
23 in memory of Justice Matt Davis, distinguished attorney, judge,  
24 and servant of the people of Texas; and, be it further

25 RESOLVED, That official copies of this Resolution be prepared  
26 for the members of his family as an expression of deepest sympathy  
27 from the Texas Legislature.

APR 25 1973

Add names of all members

WCR 58

*Joseph Hallinan*  
Chief Clerk, House of Representatives

By: Grant, et al

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10       WHEREAS, After the death of his mother in 1918, Justice  
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18       to the soil as a tenant farmer, but he still had his desire to  
19       become a lawyer; and \_\_\_\_\_

20       WHEREAS, He continued to farm, but the depression in the  
21       early 1930's brought hard years and it was at this time that he  
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4        justice of the peace, was elected, and while holding the post  
5        entered Gilmer High School in the fall of 1935; and \_\_\_\_\_

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7        1936, he had to wait 27 months before being allowed to take the  
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11       Texas House of Representatives, serving in the 46th Legislature  
12       in 1939; and \_\_\_\_\_

13       WHEREAS, Justice Davis practiced law for 14 years before  
14       deciding to seek a position on the Court of Appeals of the Sixth  
15       District; he was successful in that 1954 race and served on the  
16       court until his death; and \_\_\_\_\_

17       WHEREAS, This distinguished individual was a judge of the  
18       people; the language of his opinions, although sometimes looked  
19       upon disapprovingly by some appellate judges, was expressive,  
20       colorful language which spoke directly in candor and earthiness  
21       with similes and metaphors of everyday life. Once when Justice  
22       Davis' opponent was endorsed by the vast majority of lawyers in  
23       the district, he explained to the voters that his opponent  
24       represented the lawyers but that he represented the people; Justice  
25       Davis won the election; and \_\_\_\_\_

26       WHEREAS, Justice Davis was a member of the First Methodist \_\_\_\_\_

1 Church of Gilmer, a former president of the Methodist Men's Club,  
2 former member of the church's governing board, and former teacher  
3 of the men's Sunday school class; and\_\_\_\_\_

4 WHEREAS, Throughout his career on the bench, Justice Davis  
5 always sought to serve the people to the best of his ability; he  
6 wrote many important decisions and made many great contributions  
7 to the law and the legal profession; and\_\_\_\_\_

8 WHEREAS, Justice Davis will long be remembered for his great  
9 honesty, integrity, and fairness, and as a man who constantly  
10 tried to do what was best for the people of Texas; and\_\_\_\_\_

11 WHEREAS, He is survived by his wife, Mrs. Eddie Mae Davis  
12 of Gilmer; three daughters, Mrs. Alfred J. Erdos of San Diego,  
13 Mrs. Doyle Dumas of Henderson, and Mrs. Jan Hacklet of Sherman;  
14 one son, Dr. Charles M. Davis, Jr., of San Diego; one sister,  
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16 Gilmer, Austin Davis of Gladewater, and Marion Davis of Kansas  
17 City, Missouri; and five grandchildren; and\_\_\_\_\_

18 WHEREAS, It is appropriate that the Texas Legislature and  
19 all the people of Texas pay tribute to Justice Matt Davis for his  
20 many contributions to his state, his community, and his profession,  
21 and extend sympathy to his family; now, therefore, be it\_\_\_\_\_

22 RESOLVED by the House of Representatives of the 63rd  
23 Legislature, the Senate concurring, That this Resolution stand  
24 in memory of Justice Matt Davis, distinguished attorney, judge,  
25 and servant of the people of Texas; and, be it further\_\_\_\_\_

26 RESOLVED, That official copies of this Resolution be prepared\_\_\_\_\_

- 1 for the members of his family as an expression of deepest sympathy  
 2 from the Texas Legislature.

<u>Daniel</u>	Geiger	Nabers
Adams	Grant	Newton
Agnich	Green of Navarro	Nichols
Allen of Harris	Green of Harris	Nowlin
Allen of Gregg	Hale	Nugent
Allred	Hall of Harris	Olson
Atwell	Hall of Webb	Parker of Jefferson
Bailey	Hanna	Parker of Denton
Baker	Harris	Pentony
Bales	Hawn	Peveto
Barnhart	Head	Poerner
Bigham	Heatly	Poff
Bird	Henderson	Powers
Blake	Hendricks	Presnal
Blythe	Hernandez	Preston
Bock	Hilliard	Ragsdale
Boone	Hoestenbach	Reyes
Bowers	Hollowell	Reynolds
Bynum	Howard	Rodriguez
Caldwell	Hubenak	Rosson
Calhoun	Hudson	Russell
Canales	Hutchison	Sage
Cates	Johnson	Salem
Cavness	Jones of Harris	Sanchez
Clark	Jones of El Paso	Schieffer
Clayton	Kaster	Scoggins
Cobb	Korioth	Semos
Cole	Kubiak	Sherman
Coleman	Laney	Short
Coody	Lary	Simmons
Cooke	Lee	Slack
Craddick	Leland	Spurlock
Davis	Lewis	Sullivant
Denson	Lombardino	Sutton
Denton	McAlister	Tarbox
Donaldson	McDonald of Hidalgo	Temple
Doran	McDonald of Dallas	Thompson
Doyle	Madla	Truan
Dramberger	Maloney	Tupper
Edwards	Martin	Uher
Evans	Massey	Vale
Finnell	Mattox	Vecchio
Finney	Menefee	Vick
Foreman	Miller	Von Dohlen
Fox	Montoya	Washington
Garcia	Munson	Waters
<u>Gaston</u>	<u>Murray</u>	<u>Watson</u>



H.C.R. No. 58

Weddington  
Whitehead  
Whitmire

Wieting  
Williams  
Williamson

Willis  
Wilson  
Wyatt

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APR 30 1973

## ENROLLED

H.C.R. No. 58

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Evans	Massey	Vale
Finnell	Mattox	Vecchio
Finney	Menefee	Vick
Foreman	Miller	Von Dohlen
Fox	Montoya	Washington
Garcia	Munson	Waters
Gaston	Murray	Watson

H.C.R. No. 58

Weddington  
Whitehead  
Whitmire

Wieting  
Williams  
Williamson

Willis  
Wilson  
Wyatt

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that H.C.R. No. 58 was unanimously adopted  
by a rising vote of the House on April 25, 1973.

\_\_\_\_\_  
Chief Clerk of the House

I hereby certify that H.C.R. No. 58 was unanimously adopted  
by a rising vote of the Senate on April 26, 1973.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: May 2, 1973  
Date

Signed  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
9:20 AM  
MAY 3 1973  
Secretary of State

H.C.R. No. 58

By Guenther et al

HOUSE CONCURRENT RESOLUTION

in memory of Justice Matt Davis, distinguished attorney, judge,  
and servant of the people of Texas.

READ 1st TIME  
AND REFERRED TO COMMITTEE ON

Rules

*Dorothy Hallman*

Chief Clerk, House of Representatives

APR 25 1973

MOTION TO SUSPEND ALL NECESSARY RULES IN  
ORDER TO TAKE UP AND CONSIDER AT THIS TIME  
PREVAILED BY NON-RECORD VOTE.

*HCR 58*

*Dorothy Hallman*  
Chief Clerk, House of Representatives

APR 25 1973

DATE APR 25 1973

UNANIMOUSLY ADOPTED BY RISING VOTE.

READ AND ADOPTED

*Dorothy Hallman*  
Chief Clerk  
House of Representatives

APR 25 1973 SENT TO ENGROSSING CLERK

By: Grant, et al

H.C.R. No. 58

HOUSE CONCURRENT RESOLUTION

in memory of Justice Matt Davis. \_\_\_\_\_

2-28-73 Read first time and referred to Committee on Rules. \_\_\_\_\_

4-25-73 Motion to suspend all necessary rules in order to take up and consider at this time H.C.R. No. 58 prevailed by a non-record vote. \_\_\_\_\_

4-25-73 Unanimously adopted by a rising vote. \_\_\_\_\_

Dorothy Hallman  
Chief Clerk, H. of R.

4-25-73 Sent to Engrossing Clerk. \_\_\_\_\_

4-25-73 Engrossed. \_\_\_\_\_

Orea Luffin  
Engrossing Clerk, H. of R.

APR 26 1973 RETURNED FROM ENGROSSING CLERK SENT TO THE SENATE



APR 26 1973 Received from the House

Read, referred to Committee on \_\_\_\_\_

Reported favorably. \_\_\_\_\_

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed. \_\_\_\_\_

Regular order of business suspended by

(unanimous consent.

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

Read second time \_\_\_\_\_ passed to third reading.

Caption ordered amended to conform to body of bill.

Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays to place bill on third reading and final passage.

Read third time and passed by (a viva-voce vote.

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.

SENT TO ENROLLING CLERK

APR 26 1973

OTHER ACTION: APR 26 1973

~~Immediate consideration ordered by~~  
~~unanimous consent.~~

APR 26 1973 Read and Adopted.

*Charles Schnabel*

Secretary of the Senate

Secretary of the Senate

RETURNED FROM SENATE

APR 26 1973

APR 26 1973 Returned to HOUSE

*Dorothy Hallman*  
Chief Clerk, House of Representatives